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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/124,231	07/29/1998	NOBUHARU IINUMA	1046.1185/JD	6479
21171	7590	04/13/2004	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			LANEAU, RONALD	
			ART UNIT	PAPER NUMBER
			2674	29

DATE MAILED: 04/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/124,231

Applicant(s)

IINUMA, NOBUHARU

Examiner

Ronald Laneau

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. The amendment filed on 02/13/04 has been entered. Claims 1-19 are still pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanno (US 5,602,567) in view of Sparks et al (US 6,256,008).

As per claims 1, 2, 4, and 5, Kanno teaches a display apparatus comprising a monitor or a display screen 2 displaying data sent from a main apparatus, a display control 14, a memory RAM 12 or EPROM 11 wherein said monitor or display screen, said memory unit, and said display control unit are contained in a frame that is independent from a frame containing the main apparatus or irrespective of an operation mode of the main apparatus (see fig. 1). Kanno does not teach a screen protecting data in the memory but Sparks et al disclose a screen saver for computer including program memory area which is provided in internal or external memory of electronic computer to store display control program and further includes a call messaging system (see fig. 2).

It would have been obvious to one of ordinary skill in the art, at the time of the invention, to utilize the screensaver program disclosed in the Sparks et al into the system of Kanno because

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it would allow a user to enter a pre-programmed message that is animated on the screen during the screen savers operation (col. 1, lines 45-47 and 53-55).

As per claim 3, Kanno teaches a main apparatus (CPU) 1 which sends a signal from a communication between the computer and the display monitor (see col. 4, lines 43-45).

As per claims 6 and 7, Kanno teaches a display apparatus comprising a monitor (display screen) 2 displaying data sent from a main apparatus, a display control 14, a memory RAM 12 or EPROM 11 wherein said monitor or display screen, said memory unit, and said display control unit are contained in a frame that is independent from a frame containing the main apparatus (see fig. 1). Kanno does not teach a screen protecting data in the memory but Sparks et al disclose a screensaver program that can be stored in the memory system of Kanno (see abstract). The combination of Kanno and Sparks et al would certainly trigger the screen saver automatically to be displayed on the display screen if there is no activity from a user or no signal from the CPU to the display.

It would have been obvious to one of ordinary skill in the art, at the time of the invention, to utilize the screensaver software disclosed in the Sparks et al into the system of Kanno because it would allow the system to extend the usable life of display devices associated with the computers (col. 1, lines 45-47).

As per claim 8, Kanno teaches a main apparatus (CPU) 1 which sends a signal from a communication between the computer and the display monitor (see col. 4, lines 43-45).

As per claim 9, see rejection of claims 6 and 7.

As per claim 10, see rejection of claims 1 and 4.

As per claim 11, see rejection of claim 5.

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As per claims 12 and 13, see rejection of claim 2.

As per claim 14, see rejection of claim 4.

As per claims 15-19, the display control taught by Kanno is well capable of controlling the screen protecting image data to be displayed on the display screen based on the mode of the computer mainframe as claimed.

Response to Arguments

4. Applicant's arguments filed on 02/13/04 have been fully considered but they are not persuasive.

In response to applicant's arguments, it is noted that Kanno teaches a memory 12 at the display level that is capable of storing video information for the display. In this particular case, it appears that the screen saver taught by Sparks et al can be saved in the RAM memory of the display monitor then the screen saver can be operating independently from the computer controller. The device of Sparks et al would also allow a computer user to send wireless messages to any other user within the network. As a result, the rejection finally stands.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any response to this final action should be mailed to:

BOX AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 305- 308-6606, (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA.,
Sixth Floor (Receptionist).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is (703) 305-3973. The examiner can normally be reached on Monday-Friday from 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (703) 305-4709.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Ronald Laneau
Examiner
Art Unit: 2674

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April 10, 2004



RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600